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**DEC 09 2002**

**OFFICE OF PETITIONS**

In re Application of  
Ott, et al.  
Application No. 09/314,052  
Filed: May 18, 1999  
Attorney Docket No. 1-15372

ON PETITION

This is a decision on the petition filed on June 26, 2002  
(Certificate of Mailing dated June 18, 2002), pursuant to 37 CFR  
1.137(b), to revive the above-identified application. The Office  
apologizes for the delay.

The petition is **GRANTED**.

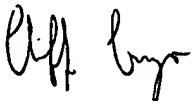
The above-identified application became abandoned for failure to  
timely file a proper reply to the final Office action mailed  
October 10, 2001. This Office action set a shortened statutory  
period for reply of three months. On March 28, 2002 (Certificate  
of Mailing dated March 8, 2002), petitioner obtained a two month  
extension of time and filed an amendment in response to the final  
Office action. However, by Advisory Action mailed May 16, 2002,  
petitioner was informed that the amendment would not be entered  
because it failed to place the application in condition for  
allowance. No further reply with an extension of time having  
been received, the above-identified application became abandoned  
on March 11, 2002. A Notice of Abandonment was mailed on June 4,  
2002.

Petitioner has met the requirements for a grantable petition  
under 37 CFR 1.137(b). Petitioner paid the petition fee,  
submitted a reply in the form of a Request for Continued  
Examination (RCE) under 37 CFR 1.114 (with fee), including a  
submission in the form of an amendment (previously filed on March  
28, 2002) and an IDS (previously filed on March 14, 2002), and  
made the proper statement of unintentional delay.

Pursuant to 37 CFR 1.136, an extension of time must be filed  
prior to the expiration of the maximum period obtainable for  
reply to avoid abandonment. Accordingly, since the \$260  
extension of time fee submitted with the petition on June 26,  
2002 was subsequent to the maximum period obtainable for reply  
(April 10, 2002), this fee has been refunded to petitioner's  
Deposit Account 13-1816.

The application file is being forwarded to Technology Center 3700 for consideration of the RCE and the submission, the amendment filed March 28, 2002 and the IDS filed March 14, 2002.

Telephone inquiries concerning this decision should be directed to the undersigned at (703)305-0272.

A handwritten signature in cursive script, appearing to read "Cliff Congo".

Cliff Congo  
Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy